

Exhibit 4

Page 1

1 JORDAN LIPPNER
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 -----X
5 AUSTIN FENNER and IKIMULISA LIVINGSTON,

6
5 Plaintiffs,
6 -against-

7 09 CIV 9832 (BSJ) (RLE)

8 NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
9 THE NEW YORK POST and DAN GREENFIELD and
10 MICHELLE GOTTHELF,

11 Defendants.

12 -----X
13 SANDRA GUZMAN,
14 Plaintiff,
15 vs. 09 CIV 9323 (BSJ) (RLE)
16 NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
17 THE NEW YORK POST, and COL ALLAN, in his
18 official and individual capacities,

19 Defendants.

20 -----X
21 VIDEOTAPED DEPOSITION OF JORDAN LIPPNER
22 New York, New York
23 Wednesday, February 29, 2012

24 REPORTED BY: BARBARA R. ZELTMAN
25 (BOBBIE)
26 Professional Stenographic Reporter
27
28 Job Number: 46779

<p style="text-align: right;">Page 54</p> <p>1 JORDAN LIPPNER 2 office on the eighth floor of 1211 Avenue of 3 the Americas who works for News Corp.? 4 A Are we talking presently? 5 Q Yeah. Tell me presently. 6 A I believe Jeff Mook. 7 Q Who is Jeff Mook? 8 A He is head of human resources for 9 News Corporation. 10 Q Was the head of human resources for 11 News Corp. also located on the eighth floor 12 when Sandra Guzman was employed? 13 A Correct. 14 Q And who was that at the time? 15 A There were a couple of different 16 people. 17 The first was Ian Moore and the 18 second was a woman named Beryl, B-E-R-Y-L, 19 Cook. 20 Q Do you know if any other News Corp. 21 executives occupied office on the eighth 22 floor at 1211 Avenue of the Americas? 23 A There may be a few others, but 24 those are the ones that come to mind. 25 Q What about during Ms. Guzman's </p>	<p style="text-align: right;">Page 55</p> <p>1 JORDAN LIPPNER 2 employment, can you think of anyone else? 3 A At the -- 4 MR. LERNER: Objection. These 5 are the people that presently occupy 6 that space. So when you say can you 7 think of anyone else -- 8 MR. THOMPSON: I just said 9 during Ms. Guzman's employment. 10 MR. LERNER: Understood. But 11 when you said can you think of anyone 12 else, to me the question supposes 13 that these people occupied that space 14 during Ms. Guzman's employment which 15 is not his testimony. 16 MR. THOMPSON: Then I'll make 17 it crystal clear. 18 Q Can you think of any other News 19 Corp. executive that occupied the eighth 20 floor during Ms. Guzman's employment? 21 A While Ms. Guzman was employed, 22 Mr. Murdoch, Mr. Nallen, Mr. Devoe, 23 Mr. Siskind, Mr. Jacobs, Mr. Moore, Ms. Cook 24 had office space up there. 25 There were others such as -- there </p>
<p style="text-align: right;">Page 56</p> <p>1 JORDAN LIPPNER 2 was a gentleman by the name of Andrew 3 Butcher. 4 Q Who was Andrew Butcher? 5 A He was head of our communications 6 department at one point. 7 There was a gentleman by the name 8 of Gary Ginsburg. He was also in 9 communications. 10 A woman by the name of Rachel 11 Webber. 12 Gentleman by the name of Leon 13 Hertz. 14 Those are all the names that I 15 think of. 16 MR. THOMPSON: Can you go back 17 to his statements just now. 18 Q You testified, Mr. Lippner, when I 19 asked you who Andrew Butcher was, you said 20 he was head of our communications department 21 at one point. 22 What do you mean by "head of our 23 communications department at one point"?</p>	<p style="text-align: right;">Page 57</p> <p>1 JORDAN LIPPNER 2 I thought that that was what we 3 were talking about, who were the News 4 Corporation employees on the eighth floor. 5 Q So when you say "our," do you 6 consider yourself to be part of News 7 Corporation? 8 A In a global sense. 9 Q What do you mean by "in a global 10 sense"?</p>

<p style="text-align: right;">Page 82</p> <p>1 JORDAN LIPPNER 2 Q The third floor. 3 In order to get access to the third 4 floor, wouldn't an employee have to have one 5 of those IDs issued by one of the companies 6 that are part of the News Corp. family? 7 A No. 8 Q So anyone in the building can just 9 come on the third floor? 10 A They probably could. 11 Q But in order to get to the elevator 12 bank, they would have to use a News Corp. or 13 New York Post ID, correct? 14 MR. LERNER: Objection. 15 A Incorrect. 16 I said incorrect. 17 Q Now, in terms of your position as 18 deputy general counsel and senior vice 19 president of News America Incorporated, do 20 you have responsibility over legal affairs 21 at The New York Post? 22 A Certain legal affairs, yes. 23 Q What legal affairs? 24 A I am -- I advise The New York Post 25 on employment and labor-related matters.</p>	<p style="text-align: right;">Page 83</p> <p>1 JORDAN LIPPNER 2 I do some training for The New York 3 Post and -- 4 Q What type of training do you do for 5 The New York Post? 6 A And I also work with The Post on 7 some civil litigation matters as well as 8 some business and contract matters. 9 Q What type of training do you do for 10 The New York Post? 11 A I've assisted with management 12 training, with fair work environment 13 training. I think that's it. 14 Q When you say management training, 15 what do you mean? 16 A How to work with managers, 17 supervisors. How to be a good supervisor, 18 how to be a good managers, things of that 19 nature. 20 Q What do you mean by "fair work 21 environment training"? 22 A In making the employees familiar 23 with The New York Post's fair work 24 environment policies and what their 25 obligations are and things to avoid and how</p>
<p style="text-align: right;">Page 84</p> <p>1 JORDAN LIPPNER 2 to conduct themselves in an appropriate 3 manner. 4 Q Did you provide training regarding 5 fair work environment when Ms. Guzman worked 6 at the company? 7 A I did. 8 THE WITNESS: Is this an okay 9 time to go to the bathroom, Counsel. 10 MR. THOMPSON: Yes, yes. 11 THE VIDEOGRAPHER: The time is 12 11:31 a.m. Going off the record. 13 (A brief recess was 14 taken.) 15 THE VIDEOGRAPHER: The time is 16 11:50 a.m. We're on the record. 17 BY MR. THOMPSON: 18 Q Mr. Lippner, when you had an office 19 on the same floor as Gavenchak, Nova, how 20 would you actually get access to their 21 offices? 22 A Walk over to them. 23 Q Did you have to use any security 24 pass to get over to them? 25 A To Genie Gavenchak's office?</p>	<p style="text-align: right;">Page 85</p> <p>1 JORDAN LIPPNER 2 Q Yes. 3 A No, I just had to knock on the door 4 and say hello. 5 Q Is it fair to say that when you 6 were on the fifth floor and I believe the 7 13th and then the 28th floor that the 8 lawyers who worked for the various companies 9 were located in the same area? 10 A That's not correct. 11 Q Describe how the lawyers were 12 situate when you worked on the fifth floor 13 together? 14 A I never worked on the fifth floor. 15 Q The 13th floor. 16 A We are -- most of us -- actually 17 there are lawyers -- I am -- I sit on a 18 floor with lawyers who work for News 19 Corporation and lawyers who work for News 20 America Incorporated. There are other 21 lawyers that work for other companies that 22 are fully owned by News Corporation that 23 don't sit on the 13th floor. The general 24 counsel sits on the eighth floor who is a 25 News Corporation lawyer. Joel Klein is a</p>

<p style="text-align: right;">Page 90</p> <p>1 JORDAN LIPPNER 2 York Post, myself and a number of my 3 colleagues, meaning people who are News 4 America Incorporated lawyers as well as News 5 Corporation lawyers did work on behalf of 6 our client The New York Post.</p> <p>7 Q I want you to identify the 8 individuals, the individual News Corp. 9 attorneys who handled legal matters for 10 The New York Post during Ms. Guzman's 11 employment.</p> <p>12 A Genie Gavenchak is -- she would 13 have done some work for The Post and she is 14 a News Corporation lawyer.</p> <p>15 She might be the only News 16 Corporation lawyer who has done some work, 17 and I think her work would have been part 18 of -- her expertise is on the First 19 Amendment and she may have done some First 20 Amendment work for them.</p> <p>21 Q Do you know if she still does legal 22 work for The New York Post?</p> <p>23 A Yes.</p> <p>24 Q And identify the attorneys who work 25 for News America Incorporated who also</p>	<p style="text-align: right;">Page 91</p> <p>1 JORDAN LIPPNER 2 provided legal services for The New York 3 Post during Ms. Guzman's employment. 4 A That would be myself, Michelle 5 Francis, Jim Markovitz, Jan Constantine and 6 Michael Cameron.</p> <p>7 Q When Ms. Guzman worked at the 8 company, who did you report to as senior 9 vice president and deputy general counsel of 10 News America Incorporated?</p> <p>11 A For the initial few years of my 12 employment at News America Incorporated, I 13 reported to Jan Constantine and after she 14 left, I reported to Genie Gavenchak.</p> <p>15 Q How long did you report to Genie 16 Gavenchak?</p> <p>17 A I still do.</p> <p>18 Q So is it fair to say you've 19 reported to Genie Gavenchak for a number of 20 years?</p> <p>21 A That is fair to say.</p> <p>22 Q So is Genie Gavenchak -- strike 23 that.</p> <p>24 Do you know if any other attorneys 25 who work for News America Incorporated also</p>
<p style="text-align: right;">Page 92</p> <p>1 JORDAN LIPPNER 2 reported to Genie Gavenchak during 3 Ms. Guzman's employment?</p> <p>4 A Yes.</p> <p>5 Q Can you identify those attorneys 6 who also reported to Ms. Gavenchak?</p> <p>7 A Yes.</p> <p>8 Michelle Francis, Louis Manzo, 9 Michael Cameron.</p> <p>10 That might be it.</p> <p>11 Q Do you know if you and those other 12 attorneys are still reporting to Genie 13 Gavenchak?</p> <p>14 A Yes, I'm aware of that.</p> <p>15 Q Now, Genie Gavenchak is an attorney 16 for News Corporation, correct?</p> <p>17 A That's correct.</p> <p>18 Q So why is it that you and other 19 attorneys for News America Incorporated 20 would have to report to an attorney for News 21 Corporation in carrying out your duties?</p> <p>22 MR. LERNER: Objection.</p> <p>23 A That's how it's been set up by -- I 24 don't know the rhyme or reason. I'm just an 25 employee. It hasn't been explained to me</p>	<p style="text-align: right;">Page 93</p> <p>1 JORDAN LIPPNER 2 why I report or to whom I report.</p> <p>3 Q Did you ever ask why do we have to 4 report to a News Corp. attorney if they are 5 different attorneys?</p> <p>6 A No, I never asked that question.</p> <p>7 Q Well, in preparing for your 8 testimony as a 30(b)(6) witness for News 9 Corp., did you ever ask anyone why are 10 lawyers for News America Incorporated 11 reporting to the attorney for News Corp.?</p> <p>12 A No, never asked that because it's 13 not part of the scope of the 30(b)(6) 14 Notice.</p> <p>15 Q Well, you would agree, would you 16 not, Mr. Lippner, that you claim that News 17 America Incorporated is the parent company 18 of NYP Holdings, correct?</p> <p>19 A I don't claim, Mr. Thompson, 20 anything.</p> <p>21 I have sworn under oath that that 22 is a fact.</p> <p>23 Q You've also sworn under oath that 24 Les Goodstein is not an employee of News 25 Corp., right?</p>

<p style="text-align: right;">Page 106</p> <p>1 JORDAN LIPPNER 2 MR. LERNER: Objection. 3 A On the days that The New York Post 4 security guards are not at 1211, they are 5 providing security for New York Post 6 employees at 900 East 132nd Street. 7 Q So I'm going to ask the question 8 differently. 9 When there are no New York Post 10 security officers at 1211 Avenue of the 11 Americas, who provides security for The New 12 York Post employees at 1211 Avenue of the 13 Americas? 14 A The building owner -- and I don't 15 know who the building owner is but it is not 16 News Corp. or any of its subsidiaries -- 17 provides security for the tenants of the 18 building. 19 Q Okay. 20 So what role does the Security 21 Department for News Corp. play differently 22 than the security that the building owner 23 provides? 24 MR. LERNER: Objection. Beyond 25 the scope of 30(b)(6) Deposition</p>	<p style="text-align: right;">Page 107</p> <p>1 JORDAN LIPPNER 2 Notice. 3 MR. THOMPSON: It's not. 4 MR. LERNER: Instructing the 5 witness not to answer the question. 6 (Directive to witness.) 7 Q Mr. Lippner, are you going to 8 answer that question? 9 A I'm going to follow the advice of 10 my counsel. 11 Q Isn't it fair to say that the 12 Security Department for News Corp. also 13 provides security for The New York Post 14 employees at 1211 Avenue of the Americas? 15 A No. 16 Q Do you have an e-mail address at 17 work? 18 A Yes. 19 Q What is it? 20 A Jlippner@newscorp.com. 21 Q Do you have a -- strike that. 22 Has that been your e-mail address 23 for the past several years? 24 A It has. 25 Q Was it your e-mail address when</p>
<p style="text-align: right;">Page 108</p> <p>1 JORDAN LIPPNER 2 Ms. Guzman worked at the company? 3 A Absolutely. 4 Q Now, do you also have an e-mail 5 address that is specifically tied to News 6 America Incorporated? 7 MR. LERNER: Objection. 8 A I only have one address and it is 9 jlippner@newscorp.com and that is my News 10 America Incorporated e-mail address. 11 Q So is it fair to say, Mr. Lippner, 12 that employees who work for The New York 13 Post have a different e-mail address than a 14 News Corp. e-mail address? 15 MR. LERNER: Objection. 16 A Employees who work for The New York 17 Post do not have a News America Incorporated 18 e-mail address or a News Corporation e-mail 19 address. They have a New York Post e-mail 20 address. 21 Q Do you know why you have a newscorp 22 e-mail address if you work for News America 23 Incorporated? 24 MR. LERNER: Object to form. 25 A I do not have a News Corporation</p>	<p style="text-align: right;">Page 109</p> <p>1 JORDAN LIPPNER 2 e-mail address. I have a News America 3 Incorporated e-mail address. 4 Q Okay. 5 Is it fair to say, Mr. Lippner, 6 that your e-mail address is 7 jlippner@newscorp.com? 8 A My work e-mail is that e-mail, yes. 9 Q And I'm only talking about your 10 work e-mail. I'm not talking about private 11 e-mail right now or personal e-mail. 12 Why, Mr. Lippner, do you have a 13 newscorp.com e-mail address if you work for 14 News America Incorporated? 15 MR. LERNER: Objection. 16 Mr. Thompson, the reason for 17 Mr. Lippner's e-mail address has nothing 18 to do with the relationship between 19 The New York Post and News Corp. 20 Mr. Lippner does not work for 21 The New York Post. He doesn't have an 22 office at The New York Post and he's 23 testified to that. 24 MR. THOMPSON: Yes. But, 25 Mr. Lerner, as you know, Mr. Lippner</p>

<p style="text-align: center;">Page 110</p> <p>1 JORDAN LIPPNER 2 has maintained an office at 3 1211 Avenue of the Americas for 4 years. 5 The same address where the 6 editorial and business offices of The New 7 York Post are located. 8 I have a right to probe this 9 witness regarding the e-mail addresses 10 used by News Corp. employees and The New 11 York Post employees, and I'm asking him 12 why does he have a newscorp e-mail 13 address if he works for News America 14 Incorporated. 15 It is a fair area to inquire to 16 determine if News Corp. and News America 17 Incorporated are the same company. 18 MR. LERNER: It's beyond the 19 scope. 20 MR. THOMPSON: It is not. 21 MR. LERNER: I'm directing the 22 witness not to answer that question. 23 (Directive to witness.) 24 BY MR. THOMPSON: 25 Q Mr. Lippner, do you know if there</p>	<p style="text-align: center;">Page 111</p> <p>1 JORDAN LIPPNER 2 is one computer server for News Corp. 3 employees and New York Post employees? 4 MR. LERNER: Objection. 5 A I know there is not one computer 6 server. 7 Q Tell us -- describe the different 8 computer servers for The New York Post 9 employees and -- as opposed to the computer 10 server for the News Corp. employees? 11 MR. LERNER: As best you can 12 and understanding that you are not an 13 IT specialist. 14 MR. THOMPSON: Mr. Lerner, he 15 doesn't have to be an IT specialist. 16 He has to be prepared to answer the 17 questions that are relevant to the 18 30(b)(6) Dep Notice. 19 MR. LERNER: I'm not even sure 20 what a server is. And Mr. Lippner 21 and I are both lawyers, as are you. 22 So he can answer that question as 23 best he can with that understanding. 24 A I am not what you would call a 25 computer geek or very IT savvy.</p>
<p style="text-align: center;">Page 112</p> <p>1 JORDAN LIPPNER 2 What I can tell you is that The New 3 York Post maintains separate and distinct 4 computer databases, computer servers from 5 News Corporation. 6 They have nothing to do with each 7 other. Each company has separate IT 8 departments. 9 I don't know how else to answer 10 your question. 11 Q Do you know anyone who has a 12 newsamerica.com e-mail address? 13 A Yes. 14 Q Who? 15 A Every employee of News America 16 Marketing. 17 Q News America Marketing? 18 A Yes. 19 Q So what's the e-mail address for 20 employees at News America Marketing? 21 MR. LERNER: Objection. 22 A Something to do with their name, 23 @newsamerica.com. 24 Q Is it fair to say, Mr. Lippner, 25 that you and other attorneys for News</p>	<p style="text-align: center;">Page 113</p> <p>1 JORDAN LIPPNER 2 America Incorporated have a newscorp.com 3 e-mail address at work? 4 A I'm sorry, can you repeat the 5 question. 6 (Requested portion of record read: 7 "Q. Is it fair to say, 8 Mr. Lippner, that you and other attorneys 9 for News America Incorporated have a 10 newscorp.com e-mail address at work?") 11 (End of read-back.) 12 A Yes. My and my News America 13 Incorporated legal colleagues, our e-mail 14 addresses end with newscorp.com. 15 Q Do you know why your e-mail 16 addresses end with newscorp.com as opposed 17 to newsamerica.com? 18 MR. LERNER: Objection. This 19 is exactly the same question in which 20 we already had a colloquy and we have 21 objected to the question, and I 22 instruct the witness not to answer 23 beyond the scope of this Deposition 24 Notice. 25 (Directive to witness.)</p>

1 JORDAN LIPPNER
 2 ten-year employment at News America
 3 Incorporated.
 4 And during that ten-year period, I
 5 have not once had a discussion with any
 6 executive at The New York Post about a
 7 policy that they were implementing or a new
 8 policy that was handed down. Period.
 9 And no new policies have been
 10 handed down in that regard.

11 So I'm basing that as my statement
 12 that I don't believe a single policy has
 13 been handed down by the board of directors
 14 of The New York Post on New York Post
 15 employees.

16 Q Do you know if Paul Carlucci ever
 17 set policy for The New York Post employees?

18 A Yes.

19 Q How do you know that?

20 A Because I do.

21 Q What's the basis besides "I do"?

22 A The New York Post a few years ago
 23 implemented a formal annual performance
 24 appraisal system. It was the first time in
 25 The Post history that they were implementing

1 JORDAN LIPPNER
 2 such a procedure, and they were implementing
 3 it because Paul Carlucci wanted to implement
 4 it.

5 Q Do you know if Paul Carlucci
 6 discussed that particular policy during any
 7 board meeting?

8 A I do not.

9 Q Strike that.

10 Do you know if Paul Carlucci
 11 discussed that particular policy during any
 12 meeting of the board of directors of The New
 13 York Post?

14 A I do not.

15 Q Mr. Lippner, who has final
 16 authority over personnel decisions at News
 17 Corporation?

18 A It would depend on the employee
 19 that we're talking about.

20 Q Well, is there one person who had
 21 final authority over personnel decisions at
 22 News Corp.?

23 A No.

24 Q Is there one person who has final
 25 authority over personnel decisions at The

1 JORDAN LIPPNER
 2 New York Post?

3 A I mean every situation stands on
 4 its own.

5 Q I understand that. My question is
 6 different.

7 My question is: Is there a person
 8 at The New York Post who has final authority
 9 over personnel decisions affecting New York
 10 Post employees?

11 MR. LERNER: Objection.

12 A You know, I think I don't then
 13 really understand your question.

14 Q I'll ask it differently.

15 Does Paul Carlucci have final say
 16 over personnel decisions at The New York
 17 Post?

18 MR. LERNER: Objection.

19 A No.

20 Q Does Rupert Murdoch have final say
 21 over personnel decision at The New York
 22 Post?

23 A No.

24 Q Who has final say over personnel
 25 decisions at The New York Post?

1 JORDAN LIPPNER

2 A Your question has a faulty premise.
 3 You are suggesting that such a person
 4 exists.

5 Q I'll ask it differently then.

6 Does any person or group have final
 7 say over personnel decisions at The New York
 8 Post?

9 MR. LERNER: Objection.

10 A As I said before, each situation
 11 will stand on its own.

12 If you are talking about, for
 13 example, Bob Smith, random employee who
 14 works in the sales department, is going to
 15 get fired and the manager in the sales
 16 department is going to be handling that.

17 If you are talking about one in
 18 editorial, some senior editor will be
 19 handling that.

20 There is no mandatory policy or
 21 procedure that dictates at The New York Post
 22 how someone gets fired.

23 Q Who is the highest ranking person
 24 at The New York Post?

25 A Paul Carlucci.

<p style="text-align: right;">Page 150</p> <p>1 JORDAN LIPPNER 2 Q Who does he report to? 3 A He reports to the chairman of the 4 board of directors. 5 Q Who is that? 6 A Rupert Murdoch. 7 Q So at any time isn't it fair to say 8 that Rupert Murdoch has final authority over 9 The New York Post? 10 MR. LERNER: Objection. 11 A No. 12 Q Is it your testimony, Mr. Lippner, 13 that Paul Carlucci has more authority over 14 The New York Post than Rupert Murdoch? 15 MR. LERNER: Objection. 16 A Yes. Paul Carlucci runs the 17 day-to-day operations of The Post. He is 18 the senior-most executive at The Post. 19 Q So if Paul Carlucci wanted to fire 20 someone in sales at The New York Post, he 21 had final authority to do that? 22 MR. LERNER: Objection. 23 A I don't know what you mean by 24 "final authority." 25 Q It is your testimony that Paul</p>	<p style="text-align: right;">Page 151</p> <p>1 JORDAN LIPPNER 2 Carlucci is the highest ranking person at 3 The New York Post, correct? 4 A It's my testimony that he is the 5 highest ranking executive of The New York 6 Post. 7 Q Okay. 8 And who is the highest ranking 9 editor at The New York Post? 10 A Col Allan. 11 Q And who does Col Allan report to? 12 A He also reports in to, as I 13 understand it, he reports in to the chairman 14 of the board of The New York Post, Rupert 15 Murdoch. 16 Q So is it your testimony that Paul 17 Carlucci would have more authority over 18 firing an employee at The New York Post than 19 Rupert Murdoch? 20 MR. LERNER: Objection. 21 A Yes. 22 Q Is it also your testimony that Col 23 Allan would have more authority in firing 24 someone who works in the Editorial 25 Department at The New York Post over Rupert</p>
<p style="text-align: right;">Page 152</p> <p>1 JORDAN LIPPNER 2 Murdoch? 3 MR. LERNER: Objection. 4 A Mr. Murdoch does not get involved 5 with employee terminations at The New York 6 Post. 7 Q That's not my question. 8 Can you answer my question. 9 A I just answered it. 10 Q No you have not. 11 (Requested portion of record read: 12 "Q. Is it also your testimony that 13 Col Allan would have more authority in 14 firing someone who works in the Editorial 15 Department at The New York Post over 16 Rupert Murdoch?") 17 (End of read-back.) 18 A Yes. Mr. Murdoch does not get 19 involved in employee terminations at The New 20 York Post. 21 MR. THOMPSON: Move to strike 22 the last part of his answer as 23 nonresponsive. 24 Don't worry, Bobbie, we'll take a 25 break.</p>	<p style="text-align: right;">Page 153</p> <p>1 JORDAN LIPPNER 2 MR. LERNER: Ken, it's five 3 after 1. 4 MR. THOMPSON: Want to take a 5 break now? 6 MR. LERNER: It's -- I actually 7 have 1:10 on my watch. 8 MR. THOMPSON: Do you want to 9 take a lunch break? 10 MR. LERNER: Yes. 11 MR. THOMPSON: What time do you 12 want to resume? 13 MR. LERNER: 2:00. 14 THE VIDEOGRAPHER: The time is 15 1:09 p.m. We're off the record. 16 (A luncheon recess was 17 taken at 1:09 p.m. 2:15 p.m.) 18 A F T E R N O O N S E S S I O N 19 JORDAN LIPPNER, 20 resumed, having been previously 21 duly sworn, was examined 22 and testified further as follows: 23 THE VIDEOGRAPHER: The time is 24 2:15 p.m. We're on the record. 25 C O N T I N U E D E X A M I N A T I O N B Y M R . T H O M P S O N :</p>

<p style="text-align: right;">Page 190</p> <p>1 JORDAN LIPPNER 2 Resources on that day, correct? 3 A That is correct. 4 Q What was her title in September of 5 2008? 6 A I believe it was vice president of 7 Human Resources. 8 Q Who did Amy Saldone report to in 9 September 2008? 10 A Jennifer Jane. 11 Q And who did Jennifer Jane report to 12 at that time? 13 A Paul Carlucci. 14 Q You see Les Goodstein was also 15 present for The New York Post executive 16 committee meeting on September 22, 2008, 17 correct? 18 A I do. 19 Q Do you know why Mr. Goodstein was 20 present for that meeting? 21 A I do not. 22 Q You see that Col Allan was also 23 present, correct? 24 A I do. 25 Q And you see Jennifer Jane was</p>	<p style="text-align: right;">Page 191</p> <p>1 JORDAN LIPPNER 2 present, correct? 3 A Correct. 4 Q I want you now to look at NYP2059. 5 Do you have that in front of you? 6 A I do. 7 Q Do you see it says "New York Post 8 executive committee agenda from November 17, 9 2008?" 10 A Yup. 11 Q And it also states that the meeting 12 occurred in the Leonard French Conference 13 Room on the third floor at 1211 Avenue of 14 the Americas, correct? 15 A Yes. 16 Q And it states Paul Carlucci, the 17 publisher of The New York Post, was present, 18 correct? 19 A It does. 20 Q And it also states that the vice 21 president of Human Resources, Amy Saldone, 22 was present? 23 A It does. 24 Q And it states that Les Goodstein 25 was present, as well, correct?</p>
<p style="text-align: right;">Page 192</p> <p>1 JORDAN LIPPNER 2 A It does. 3 Q And it also states that Col Allan, 4 the editor in chief for The New York Post, 5 was present, correct? 6 A Correct. 7 Q And it states that Jennifer Jane 8 was also present, correct? 9 A Yes. 10 Q Why was Les Goodstein present for 11 this meeting of The New York Post executive 12 committee on November 17, 2008? 13 A You would have to ask 14 Mr. Goodstein. 15 Q I want to direct your attention to 16 NYP-2011. 17 You see it says "New York Post 18 executive committee agenda from December 1, 19 2008"? 20 A Correct. 21 Q And that particular meeting also 22 occurred in the Leonard French Conference 23 Room on the third floor at 1211 Avenue of 24 the Americas, correct? 25 A That is correct.</p>	<p style="text-align: right;">Page 193</p> <p>1 JORDAN LIPPNER 2 Q And in attendance was the publisher 3 of The Post, Paul Carlucci, correct? 4 A Correct. 5 Q And the vice president of Human 6 Resources, Amy Saldone, correct? 7 A Correct. 8 Q In addition, Col Allan, editor in 9 chief of The New York Post, was present, 10 correct? 11 A Yes. 12 Q And Jennifer Jane was also present, 13 correct? 14 A That is correct. 15 Q Now, at the time, Jennifer Jane was 16 an employee of -- strike that. 17 Was Jennifer Jane at the time an 18 employee of News Corporation or The New York 19 Post? 20 A Jennifer Jane was a New York Post 21 employee. 22 Q Was Col Allan an employee of News 23 Corporation or New York Post at that time? 24 A The New York Post. 25 Q Was Amy Saldone an employee of News</p>

<p style="text-align: right;">Page 194</p> <p>1 JORDAN LIPPNER 2 Corporation or The New York Post? 3 A The New York Post. 4 Q And was Paul Carlucci an employee 5 of News Corporation or The New York Post? 6 A I believe The New York Post. 7 Q And you see it says "Les 8 Goodstein"? 9 A I do. 10 Q Why was Les Goodstein in this 11 meeting of The New York Post executive 12 committee on December 1, 2008? 13 A You would need to ask 14 Mr. Goodstein. 15 Q Well, do you know whether 16 Mr. Goodstein worked for News Corporation or 17 New York Post on December 1, 2008? 18 MR. LERNER: Objection. 19 A I'll stick to my prior answers on 20 this question, that I believe Mr. Goodstein 21 is a News America Incorporated employee. 22 Q I want to direct your attention to 23 NYP-2067. 24 You see it says "New York Post 25 executive committee agenda for February 2,</p>	<p style="text-align: right;">Page 195</p> <p>1 JORDAN LIPPNER 2 2009"? 3 A I do. 4 Q And you see that The New York Post 5 executive committee met again in the Leonard 6 French Conference Room on the third floor at 7 1211 Avenue of the Americas, correct? 8 A I do. 9 Q And you see the people in 10 attendance for that meeting was, again, the 11 publisher of The New York Post, Paul 12 Carlucci, correct? 13 A That's what it says. 14 Q And the vice president of Human 15 Resources for New York Post, Amy Saldone, 16 was also present, correct? 17 A The document says that, yes. 18 Q And Col Allan, editor in chief for 19 The New York Post, was also present on that 20 day, correct? 21 A According to the document. 22 Q And so was Jennifer Jane, correct? 23 A Same answer. 24 Q Now, it also states that Les 25 Goodstein was also present for that meeting</p>
<p style="text-align: right;">Page 196</p> <p>1 JORDAN LIPPNER 2 of The New York Post executive committee, 3 correct? 4 A That's what the document states. 5 Q Why was Les Goodstein present for 6 The New York Post executive committee 7 meeting on February 2, 2009? 8 A You would need to ask 9 Mr. Goodstein. 10 Q Do you know? 11 A No. 12 Q Now I want to turn your attention 13 to the next page, NYP-2068. 14 A What number did you say? 15 Q NYP-2068. 16 A Okay. 17 Q Do you see where it states "Page 6 18 Magazine. Jennifer reported the transition 19 of Page 6 Magazine from a weekly to a 20 quarterly magazine was announced last 21 Thursday, that the last weekly issue will be 22 February 13th with the staff's last day on 23 Thursday, February 5th." 24 Do you see that? 25 A I do.</p>	<p style="text-align: right;">Page 197</p> <p>1 JORDAN LIPPNER 2 Q And it goes on to state "Some 3 employees will be retained on with the 4 paper." 5 Do you see that? 6 A I do. 7 Q Now, is it still your testimony, 8 Mr. Lippner, that personnel matters 9 affecting New York Post employees were not 10 discussed at New York Post executive 11 committee meetings? 12 MR. LERNER: Objection. 13 A Yes. As far as I know, there was 14 no discussion between committee members as 15 to what was happening with particular 16 employees. 17 There may have been an 18 announcement, as there appears to have been 19 on 2068 here, of what was happening to 20 certain employees, but to my knowledge, the 21 committee did not meet to decide the fate of 22 a particular employee or not. 23 Q But that's not my question, whether 24 the committee met to decide a particular 25 fate.</p>

<p style="text-align: right;">Page 222</p> <p>1 JORDAN LIPPNER 2 The New York Post's as well as hundreds of 3 other companies' standards of business 4 conduct. 5 Q I understand. 6 Look at the first page. 7 You see at the top left-hand corner 8 it says "News Corporation." 9 A Are you referring to Page 60? 10 Q No. Page NYP-58. 11 A And what is the question, sir? 12 Q Look at the top left-hand corner. 13 A Yes. 14 Q You see where it says "News 15 Corporation"?" 16 A I do. 17 Q What does that signify to you? 18 MR. LERNER: Objection. 19 A That the page says "News 20 Corporation." 21 Q Does it signify anything other than 22 just saying News Corporation? 23 A No. 24 Q Does it signify to you this is a 25 News Corporation document?</p>	<p style="text-align: right;">Page 223</p> <p>1 JORDAN LIPPNER 2 A Among other things. 3 Q Let's look at the page Bates stamp 4 NYP60. 5 A Okay. 6 Q You see at the top it says 7 "Introduction"?" 8 A I do. 9 Q And it says "News Corporation, the 10 Company," correct? 11 A I do. 12 Q So when you see the word "company," 13 is it your understanding that that means 14 News Corporation in this document? 15 A No. 16 Q So when it says "company," what 17 does that mean to you? 18 A The Standards of Business Conduct 19 has been promulgated by News Corporation and 20 adopted for use by every company that it 21 wholly owns. 22 The New York Post is a wholly owned 23 subsidiary of News Corporation; therefore, 24 The New York Post also uses this document as 25 if it itself had drafted the document, and</p>
<p style="text-align: right;">Page 224</p> <p>1 JORDAN LIPPNER 2 it applies to each New York Post employee. 3 Q Did it apply to each New York Post 4 employee during Ms. Guzman's employment? 5 A Absolutely. 6 Q Does it still apply to each New 7 York Post employee? 8 A This document, no. 9 Q How long was this document in 10 effect? 11 A I don't remember when it was 12 subsequently changed. 13 Q Who at News Corp. actually 14 promulgated these Standards of Business 15 Conduct? 16 MR. LERNER: Objection. 17 A Well, the second paragraph on 18 Page 60 states that the standards were 19 adopted by the News Corporation board of 20 directors. 21 Q So is it your understanding that 22 the board of directors at News Corp. created 23 these Standards of Business Conduct? 24 A I don't know what you mean by the 25 word "create" but --</p>	<p style="text-align: right;">Page 225</p> <p>1 JORDAN LIPPNER 2 Q What do you mean by the word 3 "promulgate"?" 4 MR. LERNER: Objection. 5 A This document says it was adopted 6 by the board. I take that to mean that the 7 News Corporation board of directors met and 8 during such a meeting adopted these 9 Standards of Business Conduct for use by 10 News Corporation, as it says, "its 11 subsidiaries, divisions and their directors, 12 officers and employees." 13 And as it further goes on to say, 14 "References to the Company include its 15 subsidiaries." And that furthers my point 16 that when this document states the word "the 17 Company" it means The New York Post, among 18 other things. 19 Q "Among other things" also including 20 News Corporation, correct? 21 A Including News Corporation, 22 HarperCollins, FOX Television, et cetera, 23 et cetera, et cetera. 24 Q So you would agree, would you not, 25 Mr. Lippner, that these Standards of</p>

<p style="text-align: right;">Page 226</p> <p>1 JORDAN LIPPNER 2 Business Conduct that were in effect during 3 Ms. Guzman's employment applied to every New 4 York Post employee at the time? 5 A Haven't I already answered that 6 like four times. 7 Q You can answer it again. 8 A These standards apply to every New 9 York Post employee. 10 Q And is it your testimony that these 11 standards that were in effect during 12 Ms. Guzman's employment also apply to every 13 News Corp. employee and executive? 14 MR. LERNER: Objection. 15 A Every News Corp. employee, every 16 FOX Television employee, every HarperCollins 17 employee, every News Marketing employee. I 18 mean the list goes on and on. 19 Q These standards that were in effect 20 during Ms. Guzman's employment also applied 21 to Les Goodstein, correct? 22 A A hundred percent. 23 Q So is it fair to say that the only 24 way an executive or director can get a 25 waiver from these Standards of Business</p>	<p style="text-align: right;">Page 227</p> <p>1 JORDAN LIPPNER 2 Conduct was if the board of directors 3 granted that waiver? 4 MR. LERNER: Objection. 5 A I have no idea. 6 Q Let's look at the document. 7 You are familiar with this 8 document, correct? 9 A I'm familiar with the document. 10 Q In fact, when you did the training 11 at The Post, you trained based on this 12 document in part, right? 13 A In part, yes. 14 Q So let's look at the document that 15 you used to train New York Post employees. 16 Look at the paragraph that says 17 "Application of these standards to executive 18 officers and directors may only be waived by 19 the board of directors of the company or 20 committee of the board." 21 Do you see that? 22 A I don't. 23 Q It's four paragraphs down. 24 A Okay. 25 Q What is your understanding of that</p>
<p style="text-align: right;">Page 228</p> <p>1 JORDAN LIPPNER 2 statement that I just read? 3 A My understanding of the statement 4 is that everyone is bound by this who is an 5 employee of a News Corporation company or 6 News Corporation itself and that if somebody 7 wants to be excused from complying, that 8 person needs to obtain a waiver from the 9 board of directors. 10 And I'm not sure if that reference 11 means the board of directors of that 12 individual's company or if it means the 13 board of directors of News Corporation. 14 Q If an employee violated these 15 Standards of Business Conduct promulgated by 16 News Corporation, could that employee be 17 terminated? 18 MR. LERNER: Objection. 19 A It's a hypothetical question and I 20 wouldn't be able to answer it without 21 knowing all the facts. 22 Q Let's look at the last paragraph on 23 Page Bates stamp NYP-60. 24 A Okay. 25 Q Do you see where it states "The</p>	<p style="text-align: right;">Page 229</p> <p>1 JORDAN LIPPNER 2 company may regard any employee's act in 3 violation of these standards to be outside 4 the course and scope of that employee's 5 employment. Any employee who shall be found 6 to have violated these standards may be 7 subject to immediate disciplinary action 8 including reassignment, demotion or, when 9 appropriate, dismissal." 10 Do you see that? 11 A I do. 12 Q What is your understanding about 13 what that particular statement in these 14 Standards of Business Conduct means? 15 MR. LERNER: Objection. 16 A My understanding is that it means 17 that employees should expect that if they do 18 something bad, bad things might happen to 19 them. 20 Q Including termination, correct? 21 A Anything is possible, sir. 22 Q Well, isn't it fair to say that 23 according to these Standards of Business 24 Conduct -- strike that. 25 Isn't it fair to say that according</p>

<p style="text-align: right;">Page 258</p> <p>1 JORDAN LIPPNER 2 that he is expected to have. So now 3 we're going to have to make a motion, and 4 we will. So we don't have to argue. 5 BY MR. THOMPSON: 6 Q Now, Mr. Lippner, I want to direct 7 your attention to Bates stamp NYP-69 again. 8 Do you see where it says "Handling 9 Complaints"? 10 A I do. 11 Q Now, it says "It is the Company's 12 policy to investigate thoroughly in 13 remedy any incidence of harassment or 14 discrimination." 15 Do you see that? 16 A I do. 17 Q When Ms. Guzman's worked there as 18 an associate editor, who handled complaints 19 at The New York Post? 20 A The Human Resources Department. 21 Q For The New York Post or for News 22 Corp.? 23 A For The New York Post. 24 Q And was there any other complaint 25 procedure in place for New York Post</p>	<p style="text-align: right;">Page 259</p> <p>1 JORDAN LIPPNER 2 employees to use if they wanted to complain 3 about discrimination or harassment during 4 Ms. Guzman's employment? 5 MR. LERNER: Objection to form. 6 A There was. 7 Q What other complaint procedures 8 were in place? 9 A As part of News Corporation's 10 compliance with Sarbanes-Oxley, the 11 company -- and when I say "the company" I 12 mean News Corporation -- was required to 13 establish what's called an alert line. And 14 what Sarbanes-Oxley requires is there be an 15 anonymous way for people, including 16 employees, to complain about financial 17 improprieties. 18 News Corporation, in setting up the 19 alert line, made the decision to open up the 20 alert line to complaints about anything 21 under the sun, and that would include 22 employee complaints if employees wanted to 23 use that as an avenue to complain. 24 Q Who actually mans the complaint 25 hotline you just testified about? Is it a</p>
<p style="text-align: right;">Page 260</p> <p>1 JORDAN LIPPNER 2 News Corp. employee or a New York Post 3 employee? 4 MR. LERNER: Objection to form. 5 A The alert line is managed by a 6 third party, independent -- wholly 7 independent of News Corporation and any of 8 its subs or affiliates. 9 And if complaints are made, various 10 different people can get an e-mail that a 11 complaint has been made and depending on 12 what the Complaint is, one of that group of 13 people handles it by working with a 14 particular -- wherever that complaint is 15 focused on, if it's focused at 20th Century 16 Films or FOX Searchlight or The New York 17 Post, and have that company's people 18 investigate it. And that's how it's 19 handled. 20 Q Is it your understanding that News 21 Corporation established this alert line? 22 A Yes, it is. 23 Q When did News Corporation establish 24 the alert line for employees to use who 25 wanted to complain about discrimination or</p>	<p style="text-align: right;">Page 261</p> <p>1 JORDAN LIPPNER 2 harassment in the workplace? 3 A Either '05 or '06. 4 Q During Ms. Guzman's employment? 5 A Absolutely. 6 Q And so News Corporation established 7 the alert line in 2005 or 2006 and that's 8 one of the complaint procedures that New 9 York Post employees at the time were 10 expected to follow, correct? 11 A They were not expected to follow. 12 It was an avenue if employees wanted to make 13 an anonymous complaint that they could avail 14 themselves of. 15 Q So News Corporation created an 16 avenue of complaints for The New York Post 17 employees to use if they wanted to? 18 A News Corporation complied with its 19 requirements under Sarbanes-Oxley which 20 required it to set up an anonymous complaint 21 line for all employees in all of its 22 subsidiaries. 23 Q Do you know which employees of News 24 Corporation were involved in setting up this 25 alert line for The New York Post employees</p>

Page 310	Page 311
1 JORDAN LIPPNER	1 JORDAN LIPPNER
2 A I believe it states and stated that	2 out?
3 employees could be subject to discipline for	3 A I'm not exactly sure.
4 violations.	4 Q Do you have any idea as the 30B --
5 I don't recall whether or not it	5 do you have any idea as a 30(b)(6) witness
6 specifically said that they would be subject	6 for News Corp. and The New York Post when
7 to termination.	7 the second version of the Electronic
8 Q Do you know if only one version of	8 Communications Policy was disseminated?
9 the communications -- strike that.	9 A I think it came out about three to
10 Do you know if only one version of	10 four years ago.
11 the Electronic Communications Policy was	11 Q How did the second version of the
12 disseminated to New York Post employees	12 Electronic Communications Policy differ from
13 during your employment?	13 the first version?
14 A During whose employment?	14 A There were word cleanups. It was
15 Q Your employment.	15 streamlined a bit. The original version had
16 A During my employment there have	16 been repetitive in the sense of employees
17 been I believe two iterations of the	17 being cautioned about the same kind of thing
18 Electronic Communications Policy.	18 not to do in multiple sections of the
19 Q Okay.	19 document.
20 Do you know when the first version	20 I think those were the principal
21 of the Electronic Communications Policy came	21 changes.
22 out?	22 Q Do you know if any News Corporation
23 A I want to say roughly 2004.	23 attorneys were involved in creating the
24 Q And when did the second version of	24 second version of the Electronic
25 the Electronic Communications Policy come	25 Communications Policy?

Page 312	Page 313
1 JORDAN LIPPNER	1 JORDAN LIPPNER
2 A I do.	2 Policy was disseminated to employees at
3 Q I want you to identify the News	3 The New York Post?
4 Corporation attorneys who were involved in	4 A I don't know if it was e-mailed to
5 creating the second version of that	5 them, handed to them. No, I don't know the
6 document?	6 method that was used.
7 A Ellen Agrest.	7 Q The next document listed in this
8 Q Anyone else?	8 Exhibit Bates stamped NYP-97 is entitled New
9 A Not to my knowledge.	9 York Post E-mail Policy.
10 Q Do you know if any other News	10 Do you see that?
11 Corporation employees were involved in	11 A I do.
12 creating the second version of the	12 Q When did that policy go into
13 Electronic Communications Policy?	13 effect?
14 A I do not.	14 A I don't know.
15 Q Were you involved in that?	15 Q Is that policy still in effect?
16 A I was not.	16 A I don't know.
17 Q How do you know that Ms. Agrest was	17 Q What does that policy say?
18 involved in creating the second version of	18 A I have no idea.
19 the Electronic Communications Policy?	19 Q Mr. Lippner, you are here as a
20 A I remember talking to her about it.	20 30(b)(6) witness to cover the areas that we
21 Q What did she say about it?	21 set forth in our Deposition Notice, correct?
22 A She told me how she was working on	22 A Correct.
23 it.	23 Q And in our Deposition Notice that
24 Q Do you know how that second version	24 we sent, it states that "The 30(b)(6)
25 of the company's Electronic Communications	25 witness should be prepared to explain how

<p style="text-align: right;">Page 318</p> <p>1 JORDAN LIPPNER 2 this deposition, can you tell us anything 3 that The New York Post E-mail Policy states? 4 A No. 5 MR. LERNER: Objection. 6 Q Mr. Lippner, the next policy listed 7 is New York Post Cellphone Policy. 8 You see that? 9 A I do. 10 Q When did that go into effect? 11 A I cannot tell you. 12 Q Is it still in effect? 13 A It is. 14 Q Who created that policy? 15 A The New York Post. 16 Q Who at The New York Post? 17 A I cannot tell you. 18 Q Did any News Corp. employee have 19 any role in creating The New York Post 20 Cellphone Policy? 21 A No. 22 Q How do you know that someone at 23 The New York Post created The New York Post 24 Cellphone Policy? 25 A Because I reviewed it with New York</p>	<p style="text-align: right;">Page 319</p> <p>1 JORDAN LIPPNER 2 Post HR. 3 Q Who in New York Post HR did you 4 review The New York Post Cellphone Policy 5 with? 6 A I believe it was Amy Saldone. 7 Q When did you review The New York 8 Post Cellphone Policy with Ms. Saldone? 9 A I can't tell you that. 10 Q What year? 11 A I just said I can't tell you that. 12 Q Tell us what The New York Post 13 Cellphone Policy says. 14 A I already told you I can't tell you 15 what it says. 16 Q No, you didn't tell me that. We 17 talked about The New York Post E-mail 18 Policy, and that's a different policy. 19 A And that was one of the first 20 questions, Mr. Thompson, to me when you 21 moved on was what does it say, and I and 22 said to you I don't recall what it says. 23 And I will reiterate, if you would 24 like to provide me with copy of the 25 document, I'd be happy to discuss what it</p>
<p style="text-align: right;">Page 320</p> <p>1 JORDAN LIPPNER 2 says. 3 Q Mr. Lippner, you are the 30(b)(6) 4 witness who knows these policies very well, 5 correct? 6 MR. LERNER: Objection. 7 Q Yes. 8 A Is there a question? 9 Q Yes. 10 A What's the question? 11 MR. THOMPSON: Can you read it 12 back. 13 (Requested portion of record read: 14 "Q. Mr. Lippner, you are the 15 30(b)(6) witness who knows these policies 16 very well, correct?"") 17 (End of read-back.) 18 A Mr. Thompson, what I'm is a 19 30(b)(6) witness who can tell you which 20 policies apply to The New York Post 21 employees and which policies apply to News 22 Corporation employees. 23 That is why I'm here today. I'm 24 not here so that I can give you a recital of 25 the substance of each such policy.</p>	<p style="text-align: right;">Page 321</p> <p>1 JORDAN LIPPNER 2 Q I'm not asking you to give me a 3 recital of the substance of each such 4 policy. I'm asking you as 30(b)(6) witness 5 to tell us one thing The New York Post 6 Cellphone Policy says. 7 MR. LERNER: And what is the 8 relevance of what the cellphone 9 policy says to this matter? 10 MR. THOMPSON: Because the 11 relevance, Mr. Lerner, this witness 12 was supposed to come here with 13 knowledge of employee policies, and 14 he is completely clueless. 15 MR. LERNER: No, that's not an 16 answer to what the relevance is. 17 MR. THOMPSON: I'm answering 18 your question. You may not like my 19 answer. 20 This is a witness who has an 21 obligation to sit here and answer 22 questions about the application of 23 The New York Post employment policies. 24 He's got to know what those policies say. 25 MR. LERNER: I disagree with</p>

	Page 326		Page 327
1	JORDAN LIPPNER	1	JORDAN LIPPNER
2	A I do. And he did.	2	York Post Cellphone Policy.
3	Q Who was if at the time?	3	A No one at News America Incorporated
4	A Lon Jacobs.	4	had any approval -- involvement with The New
5	Q Do you know if anyone at News	5	York Post Cellphone Policy.
6	Corporation approved The New York Post	6	Q Do you know if there had been
7	E-mail Policy before it was put into effect?	7	different versions of The New York Post
8	A No one at News Corporation had	8	Cellphone Policy distributed to New York
9	anything to do with The New York Post E-mail	9	Post employees?
10	Policy.	10	A I do not.
11	Q Do you know if anyone at News	11	Q Now, looking at this Exhibit Bates
12	Corporation approved The New York Post	12	stamped NYP-97, it also states "News
13	Cellphone Policy before it was put into	13	Corporation Records Management Policy."
14	effect?	14	Do you know if that policy was ever
15	A No one at News Corporation had	15	put into effect?
16	anything to do with The New York Post	16	A I do.
17	Cellphone Policy.	17	Q Do you know when the News
18	Q Do you know if anyone at News	18	Corporation Records Management Policy became
19	America Incorporated approved The New York	19	effective?
20	Post E-mail Policy before it was put into	20	A I don't.
21	effect?	21	Q Do you know if any News Corporation
22	A Same answer. No one at News	22	employee approved the News Corporation
23	America Incorporated had anything to do with	23	Records Management Policy before it became
24	The New York Post E-mail Policy.	24	effective?
25	Q Same question regarding The New	25	A I know the News Corporation Record
	Page 328		Page 329
1	JORDAN LIPPNER	1	JORDAN LIPPNER
2	Management Policy was created by News	2	York Post employees?
3	Corporation.	3	A I believe that the News Corporation
4	I know that Genie Gavenchak, Ellen	4	Records Management Policy applies to News
5	Agress, the group general counsel were	5	Corporation as well as to all of its wholly
6	involved in creating and finalizing the	6	owned subsidiaries.
7	policy. There may have been other people.	7	Q Do you know if this News
8	I know that, for example -- I	8	Corporation Records Management Policy was in
9	believe I contributed, for example, to	9	effect during Ms. Guzman's employment as an
10	giving them reference for how long you need	10	associate editor?
11	to keep employment-related documents based	11	A When Ms. Guzman was employed by
12	on relevant stats at issue.	12	The Post as an associate editor, I believe
13	Whether there is a business	13	that this policy -- I'm not a hundred
14	executive at News Corp. who had the final	14	percent positive. I believe that it was
15	say or it was the group general counsel's	15	promulgated towards the end of her
16	final say, I can't answer that question.	16	employment at The Post but I'm not positive.
17	Q Besides your involvement, do you	17	I'd be happy to give you a
18	know if any other News America Incorporated	18	supplemental answer on that if you would
19	employee was involved in the creation of the	19	like.
20	News Corporation Records Management Policy?	20	Q Who has responsibility for
21	A I do not.	21	enforcing News Corporations Record
22	Q Do you know if that particular	22	Management Policy?
23	policy is still in effect today?	23	A Again, that's a company-by-company
24	A It is.	24	thing.
25	Q And does that policy apply to New	25	For News Corporation itself, News

<p style="text-align: right;">Page 406</p> <p>1 JORDAN LIPPNER 2 (Directive to witness.) 3 MR. THOMPSON: Can we have that 4 marking for a ruling. 5 MR. THOMPSON: Mr. Lerner, let 6 me just tell you the reason why this 7 is relevant. This goes to whether 8 News Corporation and The New York 9 Post are interrelated. 10 He just testified that there is a 11 Website that is todaynewscorp.com. That 12 is for senior executives at News Corp. 13 and he believes Mr. Carlucci as well. We 14 believe this also is evident of 15 interrelatedness of the companies, but 16 we'll get a ruling about that. 17 (Marked for a ruling.) 18 (Lippner Exhibit 21, E-mail 19 dated Friday, February 20, 2009, 20 9:56 a.m., Bates Number NYP-3853, 21 was marked for Identification.) 22 BY MR. THOMPSON: 23 Q Mr. Lippner, I'm showing you now 24 what has been marked as Deposition 25 Exhibit 21.</p>	<p style="text-align: right;">Page 407</p> <p>1 JORDAN LIPPNER 2 Please take a moment and look at 3 it. It's Bates stamped NYP-3853. 4 It is a document produced by 5 The New York Post. 6 Tell us if you recognize it. 7 MR. LERNER: The question is 8 "tell us if you recognize it." 9 THE WITNESS: I'm reading the 10 document. 11 A I do recognize the document. 12 Q What is this document? 13 A It's an e-mail that went out to 14 different people in our different companies. 15 Q Who sent the e-mail? 16 A It came from the Internal 17 Communications Department. 18 Q Of News Corporation? 19 A Of News Corporation. 20 Q So this particular e-mail was sent 21 on Friday, February 20, 2009, correct? 22 A That is correct. 23 Q And one of the people that it was 24 sent to was Jennifer Jane at the News Corp., 25 correct?</p>
<p style="text-align: right;">Page 408</p> <p>1 JORDAN LIPPNER 2 A That is correct. 3 Q It says "News Corporation Corporate 4 Security," correct? 5 A That is correct. 6 Q So that is an e-mail from the 7 Internal Communications Department regarding 8 a protest by the Reverend Al Sharpton and 9 the National Action Network that was 10 scheduled to take place in front of the 11 building at 1211 Avenue of Americas, 12 correct? 13 A Yeah. It's along the same lines of 14 how I provide legal services to lots of 15 different companies that fall under the News 16 Corp. umbrella. 17 This is an e-mail that was put 18 together by Corporate Security and the 19 Internal Communications Department as a 20 service to make sure that everyone was 21 aware. Because the local police had alerted 22 our head of Security that there was going to 23 be a protest, and our head of Security in 24 conjunction with Internal Communications 25 wanted people to be aware so people weren't</p>	<p style="text-align: right;">Page 409</p> <p>1 JORDAN LIPPNER 2 taken by surprise. 3 They wanted to give people some 4 best practices that they could employ for 5 their own safety, such as if there were 6 people who were going to be out front who 7 were angry at The New York Post and other 8 companies, don't display your ID because 9 that could make you a potential victim. 10 (Lippner Exhibit 22, E-mail 11 dated Friday, February 20, 2009, 12 11:24 a.m., Bates Number NYP-3851, 13 was marked for Identification.) 14 BY MR. THOMPSON: 15 Q I'm showing you now what's been 16 marked as Lippner Deposition Exhibit 22, 17 Bates stamp NYP-3851, a document that was 18 produced by The New York Post in this case. 19 Can you take a moment look at it 20 and tell us if you recognize it. 21 A I don't recognize Exhibit 22 except 22 to the extent that it appears to be what 23 this document, Exhibit 21, had recommended 24 which was the same heads-up about the 25 protest and it appears to be -- well, it's</p>

From: NypostHR <nyposthr@nypost.com>
Sent: Friday, February 20, 2009 11:24 AM
To: NypostHR <nyposthr@nypost.com>
Subject: Continued Demonstrations Planned in front of 1211 - TODAY

 Corporate Security

Please be advised that Reverend Al Sharpton and the National Action Network are scheduled to gather in front of 1211 Avenue of the Americas for continued demonstrations today (Friday, February 20) at 5:00 pm. The group is gathering in response to a cartoon that ran in Wednesday's *New York Post* that they believe was racially offensive. The number of demonstrators expected is unknown at this time, and other impromptu demonstrations may occur in front of the building throughout the day.

Once again, no disruptions are expected. However, the NYPD will be present to monitor the demonstration, along with building and News Corporation security.

For your safety, it is always recommended that employees NOT display building ID cards once outside 1211 and/or 1185. This is particularly important when arriving and departing the building during demonstrations. We also encourage employees to use the alternate entrances at the back of 1211 (by Flavors) and the C-1 level if the main entrance becomes congested.

If you have any questions or concerns, please contact Corporate Security at (212) 852-7843.

 **News Corporation**
Corporate Security
General Security Concerns: 212.852.7843
2407 Command Center: 212.301.3843